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11-14-02  
H.P.

**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of )  
DANIEL C. SHAW et al. )  
Filed November 26, 2001 )      Examiner: Robert M. Fetsuga  
Application No. 09/991,652 )      Art Unit: 3751  
Title: PLUMBING CONTROL SYSTEM )  
AND METHOD FOR PRISONS, AND )  
PUSH BUTTON THEREFOR )      Attorney Docket: 6278.244a

**RESPONSE TO OFFICE COMMUNICATION**

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

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Dear Sir:

In response to the Office Communication dated October 30, 2002, please supplement applicant's Amendment and Request for Reconsideration filed October 23, 2002, with the following clean version of the replacement paragraph at Exhibit A, which was included in the previously filed Amendment on page 2. Applicant has also provided a marked-up version of the replacement paragraph at Exhibit B.

Applicant submits that the response filed October 23, 2002 is now compliant with the requirements of 37 CFR 1.121 and requests examination of the response and supplement enclosed herein.

Respectfully submitted,



William C. Schrot  
Reg. No. 48, 447

**Liniak, Berenato & White**  
6550 Rock Spring Drive  
Suite 240  
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(301) 896-0600

**Exhibit A: Clean Version of Replacement Paragraph**

Please replace the paragraph beginning at page 1, line 5, with the following rewritten paragraph:

--This is a continuation of Application Serial No. 09/277,872, filed March 29, 1999, of Daniel Shaw et al. for Plumbing Control System And Method For Prisons And  
*Patent No. 6,336,233,*  
Push Button Therefrom, which is a division of Application Serial No. 08/089,595, filed  
*Patent No. 6,018,827,*  
July 12, 1993, which is a continuation of Application Serial No. 07/822,201, filed  
January 17, 1992, of Daniel Shaw et al. for Push Button Assembly For Control Of  
Plumbing Fixtures In Prisons And The Like, which is a continuation-in-part of  
Application Serial No. 07/800,718, filed December 31, 1991, of Daniel C. Shaw for  
Plumbing Control System and Method for Prisons, now abandoned, which is a  
continuation of Application Serial No. 07/607,275, filed October 31, 1990, now  
abandoned, which is a division of Application Serial No. 07/382,113, filed July 20, 1989,  
now U.S. Patent No. 4,985,944.--

**Exhibit B: Marked Up Version of Replacement Paragraph**

The paragraph beginning at page 1, line 5, has been amended as follows:

This is a continuation of Application Serial No. 09/277,872, filed March 29, 1999, of Daniel Shaw et al. for Plumbing Control System And Method For Prisons And Push Button Therefrom, which is a division of Application Serial No. 08/089,595, filed July 12, 1993, which is a continuation of Application Serial No. 07/822,201, filed January 17, 1992, of Daniel Shaw et al. for Push Button Assembly For Control Of Plumbing Fixtures In Prisons And The Like, which is a continuation-in-part of Application Serial No. 07/800,718, filed December 31, 1991, of Daniel C. Shaw for [PLUMBING CONTROL SYSTEM AND METHOD FOR PRISONS] Plumbing Control System and Method for Prisons, now abandoned, which is a continuation of Application Serial No. 07/607,275, filed October 31, 1990, now abandoned, which is a division of Application Serial No. 07/382,113, filed July 20, 1989, now U.S. Patent No. 4,985,944.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,652	11/26/2001	Daniel C. Shaw	6278.244a	4497

7590 10/30/2002  
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EXAMINER

FETSUGA, ROBERT M

ART UNIT	PAPER NUMBER
3751	#8

DATE MAILED: 10/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 10-23-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 123 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omission or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT);

- 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- 2. A marked up version of the replacement paragraph(s) is required. See 37 CFR 1.121(b)(1)(iii).
- 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- 4. A marked up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: \_\_\_\_\_

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 FR 1.121, see MOEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicants is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Nicole PalMeaser-Burtt  
Legal Instruments Examiner(LIE)

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## SAMPLE AMENDMENT FORMAT

Conventional Heading Information  
for Amendment Supplied Here (Applicant, Appl. No., etc)

### AMENDMENT

Sir:

In response to the Office action of October 10, 2000, please amend the above-identified application as follows:

#### In the Specification:

Please replace the paragraph beginning at page 5, line 15, with the following rewritten paragraph:

-- In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars. --

#### In the claims:

Please cancel claim 6.

Please amend claim 7 as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 watts and the weight of the grill member is about 3.5 kg.

(Page Break)

### REMARKS/ARGUMENTS

Claims 1-5 and 7-10 remain in this application. Claim 6 has been canceled. Claim 7 has been amended.

Claims.....

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

SIGNATURE

(Page Break)

### VERSION WITH MARKINGS TO SHOW CHANGES MADE

#### In the specification:

Paragraph beginning at line 15 of page 5 has been amended as follows:

In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars.

#### In the claims:

Claim 6 has been canceled.

Claim 7 has been amended as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250-1600 watts and the weight of the grill member is about 3.5 kg.